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## FACSIMILE COMMUNICATION COVERSHEET

DATE: April 19, 2005

CLIENT NO.: 11503

FACSIMILE NO.: (703)872.9306

TO: MAIL STOP AMENDMENT  
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### COMMENTS:

Provided hereunder for pending U.S. non-provisional patent application serial no. 10/736,925 are: (1) Facsimile Communication Coversheet; (2) Transmittal Form -- PTO/SB/21; and (3) Response under 37 CFR §1.111, for a total of five (5) pages in this submission.

Respectfully submitted,  
Charles L. Thoeming  
Reg. No. 43,951

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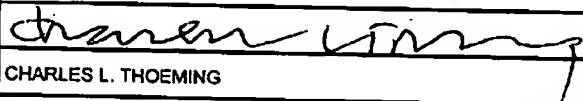
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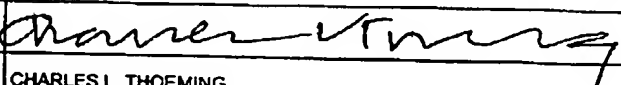
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<b>TRANSMITTAL FORM</b>  <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/738,925	
	Filing Date	12/16/2003	
	First Named Inventor	DAVID A. CULP	
	Art Unit	3643	
	Examiner Name	TIMOTHY D. COLLINS	
Total Number of Pages in This Submission	5	Attorney Docket Number	11503

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1) FACSIMILE COVERSHEET
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	CHARLES L. THOEMING/Bielen, Lampe & Thoeming		
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Printed name	CHARLES L. THOEMING		
Date	19 APRIL 2005	Reg. No.	43,951

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Typed or printed name	CHARLES L. THOEMING	Date	19 APRIL 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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APR 19 2005

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: David A. Culp

Application No.: 10/736,925

Group No.: 3643

Filed: 12/16/2003

Examiner: Timothy D. Collins

For: Improved Method and Apparatus for Aerodynamic Wing

## RESPONSE UNDER 37 CFR §1.111

MAIL STOP AMENDMENT  
Commissioner of Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Official Action with a mailing date of March 22, 2005, Applicant hereby respectfully submits this response and requests consideration as set forth below.

**Election/Restriction:**

The Examiner has required Applicant to 1) restrict this application to examination on one of three (3) Examiner determined, disclosed inventions under 35 U.S.C. §121, and 2) elect a single disclosed species for prosecution on the merits to which claims shall be restricted if no generic claim is finally held to be allowable. The Examiner has stated that currently no claim is generic.

Applicant: 1) provisionally elects to restrict prosecution of this application to the invention the Examiner has determined as being disclosed in claims 1 - 18, 31 and 34 for prosecution on the merits, with traverse; and 2) provisionally elects, species A - a transportation device without surface discontinuity, bridles or rigid structure to which the claims shall be restricted if no generic claim is finally held to be allowable, with traverse. Applicant's understanding of the species as preliminarily set forth in the first office action by the Examiner serves as the basis for the provisional election with traverse by Applicant.

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